

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.08 – RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF  
IDAHO

DOCKET NO. 13-0108-1302

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 36-104, Idaho Code.

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by July 24, 2013.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

**PRELIMINARY DRAFT: IDAPA 13.01.08.250.01.h. Any adult accompanying the holder of a Nonresident Junior Mentored Tag must have a tag for the same species, valid in the same area.**

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

IDFG proposes to revise the rule for holders of the Nonresident Junior Mentored Tag. Currently, a nonresident youth hunting with a Nonresident Junior Mentored Tag must be accompanied in the field by an adult with a tag for the same species, valid in the same area. The rule was enacted to ensure appropriate mentor oversight and to address concerns about balancing resident and nonresident utilization and access, particularly in certain Southeast Idaho units. Recently, concern has been raised that the area restriction is a barrier to youth recruitment, particularly for Idaho residents wishing to mentor nonresident youth. An example is an Idaho grandfather who wants to mentor his nonresident grandson on an elk hunt, but wishes to actually hunt his own elk in a different unit than the grandson's hunt. The intent of the original rule could be met by revising the rule to only require that the mentor accompanying the holder of a nonresident junior mentored tag have a license and tag for the same species. Revision of this rule will simplify rules for Nonresident Junior Tag holders and reduce potential barriers to youth hunting and recruitment.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, contact Sharon W. Kiefer, (208) 334-3771 or visit the agency website at <http://fishandgame.idaho.gov>. Anyone may submit written comments regarding this negotiated

rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 24, 2013.

DATED this 5<sup>th</sup> day of June, 2013.

Sharon W. Kiefer  
Deputy Director  
Department of Fish and Game  
P.O. Box 25  
Boise, Idaho 83707  
(208) 334-3771/Fax No. (208) 334-4885  
sharon.kiefer@idfg.idaho.gov